

PS 8
(Rev. 5/02 WVN)

UNITED STATES DISTRICT COURT
for the
Northern District of West Virginia

U.S.A. vs. Danielle Ludwig

Docket No.: 3:22MJ89

Petition for Action on Conditions of Pretrial Release

COMES NOW AnnaBelle Scolapio, U. S. PROBATION OFFICER, presenting an official report upon the conduct of defendant Danielle Ludwig, who was placed under pretrial release supervision by the Honorable Robert W. Trumble sitting in the Court at Martinsburg, West Virginia, on September 21, 2022, under the following conditions:

See attached Order Setting Conditions of Release

Respectfully presenting petition for action of court for cause as follows:
(If short insert here; if lengthy write on separate sheet and attach.)

Violation Number Nature of Non-Compliance

1. Violation of Condition 1: The defendant must not violate federal, state, or local law while on release.

On October 21, 2022, the defendant was issued Citation Number 4773 by the Morgantown Police Department for Failure to Yield for Pedestrian in Crosswalk (see attached). The defendant promptly contacted the probation officer from the scene of the alleged incident. According to Morgantown Municipal Court staff, on October 26, 2022, the defendant requested an accident hearing. The case is pending at this time.

PETITIONING THE COURT

- To issue a warrant
- To issue a summons
- Neither

U. S. Pretrial Services Officer Recommendation: No action is recommended at this time. Absent the defendant's initial positive drug screen, she has otherwise remained in compliance with the conditions of pretrial release and maintains three employment positions. Any further violations of her release will be reported with an appropriate recommendation for action.

PS8

PS8 Petition for Action on Conditions of Pretrial Release

The term of supervision should be:

- Revoked
- No action taken at this time
- The conditions of supervision should be modified as follows:



Respectfully,

AnnaBelle Scolapio

AnnaBelle Scolapio
U. S. Probation Officer
Place: Clarksburg, West Virginia
Date: October 28, 2022

THE COURT ORDERS

- No action
- The Issuance of a Warrant
- The Issuance of a Summons
- Other

ORDER OF COURT

Considered and ordered this 28th day of October, 2022 and ordered filed and made a part of the records in the above case.

Ronelle T. L.
U. S. District Judge/Magistrate

UNITED STATES DISTRICT COURT
for the
Northern District of West Virginia

FILED

SEP 21 2022

U.S. DISTRICT COURT-WVN
MARTINSBURG, WV 25401

United States of America)
v.)
Danielle Ludwig) Case No. 3:22MJ89
Defendant)

ORDER SETTING CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- DNL (1) The defendant must not violate federal, state, or local law while on release.
- DNL (2) The defendant must cooperate in the collection of a DNA sample if it is authorized by 42 U.S.C. § 14135a.
- DNL (3) The defendant must advise the court or the pretrial services office or supervising officer in writing before making any change of residence or telephone number.
- DNL (4) The defendant must appear in court as required and, if convicted, must surrender as directed to serve a sentence that the court may impose.

The defendant must appear at:

W. Craig Broadwater Federal Building and U.S. Courthouse
217 West King Street
Martinsburg, West Virginia 25401

Place

on _____

Date and Time

- DNL (5) The defendant must sign an Appearance Bond, if ordered.

ADDITIONAL CONDITIONS OF RELEASE

IT IS FURTHER ORDERED that the defendant's release is subject to the conditions marked below:

- () (6) The defendant is placed in the custody of:

Person or organization _____

Address (only if above is an organization) _____

City and state _____

Tel. No. _____

who agrees to (a) supervise the defendant, (b) use every effort to assure the defendant's appearance at all court proceedings, and (c) notify the court immediately if the defendant violates a condition of release or is no longer in the custodian's custody.

Signed: _____
Custodian _____

Date _____

ADDITIONAL CONDITIONS OF RELEASE

- DNL (X) (7) The defendant shall:
- DNL (X) (a) submit to supervision by and report for supervision to United States Probation, telephone number 304-267-0778, no later than AS DIRECTED.
- DNL (X) (b) continue or actively seek employment.
() (c) continue or start an education program.
- DNL (X) (d) surrender any passport to: Clerk, WVND
- DNL (X) (e) not obtain a passport or other international travel document.
- DNL (X) (f) abide by the following restrictions on personal association, residence, or travel: travel restricted to Northern District of West Virginia unless approved in advance by Pretrial Services.
- DNL (X) (g) avoid all contact, directly or indirectly, with any person who is or may be a victim or witness in the investigation or prosecution, including: anyone who is named in the indictment/information against you unless that person is your spouse, child, parent or sibling.
- () (h) get medical or psychiatric treatment: _____
- () (i) return to custody each _____ at _____ o'clock after being released at _____ o'clock for employment, schooling, or the following purposes: _____
- () (j) maintain residence at a halfway house or community corrections center, as the pretrial services office or supervising officer considers necessary.
- DNL (X) (k) not possess a firearm, destructive device, or other weapon.
- DNL (X) (l) not consume alcohol.
- DNL (X) (m) not use or unlawfully possess a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- DNL (X) (n) submit to testing for a prohibited substance if required by the pretrial services office or supervising officer. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing.
- DNL (X) (o) participate in a program of inpatient or outpatient substance abuse therapy and counseling if directed by the pretrial services office or supervising officer.
- () (p) participate in one of the following location restriction programs and comply with its requirements as directed.
- () (i) **Curfew.** You are restricted to your residence everyday from _____ to _____ or as directed by the pretrial services office or supervising officer; or
- () (ii) **Home Detention.** You are restricted to your residence at all times except for employment; education; religious services medical, substance abuse, or mental health treatment; attorney visits; court appearances; court-ordered obligations; or other activities approved in advance by the pretrial services office or supervising officer; or
- () (iii) **Home Incarceration.** You are restricted to 24-hour-a-day lock-down at your residence except for medical necessities and court appearances or other activities specifically approved by the court.
- () (q) submit to location monitoring as directed by the pretrial services office or supervising officer and comply with all of the program requirements and instructions provided.
() You must pay all or part of the cost of the program based on your ability to pay as determined by the pretrial services office or supervising officer.
- DNL (X) (r) report as soon as possible, to the pretrial services office or supervising officer, every contact with law enforcement personnel, including arrests, questioning, or traffic stops.
- DNL (X) (s) not purchase, possess or use any paraphernalia related to any controlled substance.
- DNL (X) (t) not purchase, possess or consume any organic or synthetic intoxicants, including bath salts, synthetic cannabinoids or other designer stimulants, and shall not frequent places that sell or distribute synthetic cannabinoids or designer stimulants.
- DNL (X) (u) not abuse prescription medication.
- DNL (X) (v) shall be prohibited from possessing a potentially vicious/dangerous animal or residing with anyone who possesses a potentially vicious animal. The Probation Officer has sole authority to determine what animals are considered to be potentially vicious/dangerous.
- DNL (X) (w) participate in a program of mental health counseling if directed by the pretrial services office or supervising officer.
- DNL (X) (x) shall have all firearms, destructive devices, and other weapons removed from any property owned, accessed, or inhabited by the defendant. Removal must be conducted by someone other than the defendant, and shall be completed prior to the defendant's return to the property.
- DNL (X) (y) shall follow all instructions of the pretrial services office or supervising officer.

ADVICE OF PENALTIES AND SANCTIONS

TO THE DEFENDANT:

YOU ARE ADVISED OF THE FOLLOWING PENALTIES AND SANCTIONS:

Violating any of the foregoing conditions of release may result in the immediate issuance of a warrant for your arrest, a revocation of your release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if you commit a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence you receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, you knowingly fail to appear as the conditions of release require, or to surrender to serve a sentence, you may be prosecuted for failing to appear or surrender and additional punishment may be imposed. If you are convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – you will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – you will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – you will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – you will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence you receive. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

Acknowledgment of the Defendant

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release. I promise to obey all conditions of release, to appear as directed, and surrender to serve any sentence imposed. I am aware of the penalties and sanctions set forth above.



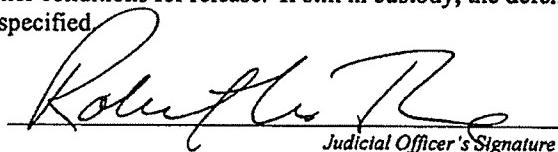
Danielle Ludwig
Defendant's Signature

City and State

Directions to the United States Marshal

- () The defendant is ORDERED released after processing.
() The United States marshal is ORDERED to keep the defendant in custody until notified by the clerk or judge that the defendant has posted bond and/or complied with all other conditions for release. If still in custody, the defendant must be produced before the appropriate judge at the time and place specified.

Date: September 21, 2022



Robert W. Trumble
Judicial Officer's Signature

Robert W. Trumble, United States Magistrate Judge

Printed name and title

DISTRIBUTION: COURT DEFENDANT PRETRIAL SERVICE U.S. ATTORNEY U.S. MARSHAL

TIME RECEIVED
October 27, 2022 at 11:05:50 AM EDTREMOTE CSID
3042847427DURATION
70 PAGES
1 STATUS
Received

Oct. 27. 2022 11:01AM

State of West Virginia Uniform Citation NO: No. 477332P. 1435
1891
 The undersigned, being duly sworn, upon his oath deposes and says:

On Fri The 21 Day Of Oct 2022 At 1336 Hours
 Weekday Date Month Year Time

Name: Ludwig Danielle Nicole
 Address: 326 Last Street
 City: Morgantown State: WV Zip Code: 26501

<input checked="" type="checkbox"/> Driving License	<input type="checkbox"/> GDL Level 1	<input type="checkbox"/> GDL Level 3	<input type="checkbox"/> CDL Instruction Permit	<input type="checkbox"/> Motorcycle Instr Permit
<input type="checkbox"/> Instruction Permit	<input type="checkbox"/> GDL Level 2	<input type="checkbox"/> CDL	<input type="checkbox"/> Motorcycle Only	<input type="checkbox"/> Other:

Driver License Type: F969865 Driver License Number: WV State: BN Social Security Number: 01/06/1989
 Gender: M Weight: 170 Ft: 5 In: 7 Eye Color: Blue Class: A Restrictions: Endorsements:
 License Plate Number: 19AUMC State: WV Plate Class: JTEEU5JR Vehicle Identification Number (VIN): IN525415
 Make: Hyundai Year: 2022 Body Style: SUV Model: 4 Runner Color: BK

Owner / Lessee Name: Same as Violator Hertz Corp.
 Address: Po Box 24130
 City: Oklahoma city State: OK Zip Code: 73134

Fatality Complete Only for Commercial Motor Vehicles
 CMV Type (Check 1): Veh Designed to Carry 16+ Passengers Haz Mat Other CMV

DOT / Carrier #	Bill of Lading	Shipper ID #	<input type="checkbox"/> Cool Resource Transportation Sys. Permit #:
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In or Near: Morganatown County: Morgan Municipality: Stevenson
 Highway Type: Interstate County Route Number: _____ Milepost: _____ Direction: S
 US City Street GPS Coordinate: Lat: _____ Long: _____
 WV Other Street Name: High st. @ Pleasant St.

Specific Reference / Landmark: Report # M 2022-004435
 In the Above Listed County or City of West Virginia, Did Unlawfully Then and There Commit the Following Offense(s):

Charge #1: (Select Only 1 Violation per Charge) <input type="checkbox"/> Speeding MPH in a _____ MPH Zone <input checked="" type="checkbox"/> Other: <u>Failure to yield for Pedestrian in crosswalk</u> In Violation of: <u>371.02</u> WV State Code: <input type="checkbox"/> Municipal Ordinance: <input type="checkbox"/> Officer's Name: <u>MPD</u> ORI # <u>WV0310100</u> Badge or ID # <u>2273</u> Agency/Department, or Unit/Zone: <u>Z. J. Belan</u> Officer's Signature: <u>C. Belan</u>	Charge #2: (Select Only 1 Violation per Charge) <input type="checkbox"/> Other: <u>Failure to yield for Pedestrian in crosswalk</u> In Violation of: _____ WV State Code: <input type="checkbox"/> Municipal Ordinance: <input type="checkbox"/> Officer's Name: _____ ORI # _____ Badge or ID # _____ Officer's Signature: _____
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I Understand that I Have to Appear, On or Before, 304-284-7497 (Date)
300 Spruce St Court with in 10 days
 Court Name and Address: Court House
 I Promise to Confect the Above Listed Court within the Time Specified. Failure to Appear Will Result in the Suspension of Driver's License.
 Violator Signature - Not an admission of Guilt: X J. Daniel Ludwig

FOR COURT USE ONLY

Reduced Charge #1	Code	Reduced Charge #2	Code
Charge 1 Disposition: <input type="checkbox"/> 01 Not Guilty <input type="checkbox"/> 02 Forfeited Bail <input type="checkbox"/> 03 Tried in Absence <input type="checkbox"/> 04 Nolle Proscuit <input type="checkbox"/> 05Appealed to Higher Court	Case #: <input type="checkbox"/> 06 Nolo Contendre <input type="checkbox"/> 07 Guilty <input type="checkbox"/> 08 Prelim. Hearing <input type="checkbox"/> 09 Change of Venue <input type="checkbox"/> 10 Dismissed	Charge 2 Disposition: <input type="checkbox"/> 01 Not Guilty <input type="checkbox"/> 02 Forfeited Bail <input type="checkbox"/> 03 Tried in Absence <input type="checkbox"/> 04 Nolle Proscuit <input type="checkbox"/> 05Appealed to Higher Court	Case #: <input type="checkbox"/> 06 Nolo Contendre <input type="checkbox"/> 07 Guilty <input type="checkbox"/> 08 Prelim. Hearing <input type="checkbox"/> 09 Change of Venue <input type="checkbox"/> 10 Dismissed

This Abstract is Certified Correct: _____ Signature / Title / Date _____

FOR DMV USE ONLY

Court Code	Conviction Code 1	Conviction Code 2
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COMPLAINT - AFFIDAVIT